

**OFFICE OF THE MISSISSIPPI SECRETARY OF STATE
BUSINESS REGULATION AND ENFORCEMENT DIVISION**

IN THE MATTER OF:

**THE BLOOD CENTER
4157 Bordeaux Drive
Kenner, Louisiana 70065**

Respondent

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**Administrative Proceeding
Number: C-07-0588**

**FINAL CEASE AND DESIST ORDER AND ORDER REVOKING
REGISTRATION AND IMPOSING ADMINISTRATIVE PENALTY**

The SECRETARY OF STATE OF MISSISSIPPI, Division of Business Regulation and Enforcement (hereinafter, "Division"), by and through the undersigned designated representative, after having served a Summary Cease and Desist Order and Notice of Intent to Revoke Registration and Impose Administrative Penalty against THE BLOOD CENTER (hereinafter "Blood Center"), and in support hereof, states the following:

I. JURISDICTION

The Secretary of State is vested with the regulation of charitable organizations in the State of Mississippi pursuant to Miss. Code Ann. Sections 79-11-501, *et seq.* (2001) ("Act"). Blood Center is a charitable organization as defined by Miss. Code Ann., Section 79-11-501(a) (i) (2001), and therefore subject to the Secretary of State's regulatory authority. The Secretary of State, therefore, finds that he has jurisdiction over the subject matter and the party herein.

II. FINDINGS OF FACT

1. On January 22, 2007, an employee of the Division mailed a letter to Blood Center requesting information to perform a desk exam on Blood Center's books and

records. The information was to be submitted to the Division by February 23, 2007. Blood Center failed to respond to this request.

2. Therefore, on March 14, 2007, an employee of the Division faxed another letter to Blood Center requesting the information again. The information was to be submitted to the Division by March 30, 2007. Blood Center also failed to respond to this request. As a result, a Summary Cease and Desist Order and Notice of Intent to Revoke Registration and Impose Administrative Penalty was issued against Blood Center.
3. Currently, the Division has not received the information requested or a response to the Summary Cease and Desist Order. Therefore, issuance of this Final Cease and Desist Order and Order Revoking Registration and Imposing Administrative Penalty is appropriate.

III. CONCLUSIONS OF LAW

4. Pursuant to Miss. Code Ann. §79-11-519, it shall be a violation of the Mississippi Charitable Solicitation Act ("Act") for any person to refuse or fail, after notice, to produce any records required to be kept under the Act, or any rule or order promulgated. Blood Center has failed to produce the requested books and records, it is therefore in violation of this provision.
5. Pursuant to the Mississippi Charities Act Rules, Article 2, charitable organizations shall maintain accurate books and records of its solicitation activities. The records shall be maintained at the offices of the charitable organization and shall be kept in an auditable format. Because Blood Center has failed to produce the

books and records requested in auditable format, it is in violation of this provision.

6. Pursuant to Miss. Code Ann. §79-11-509 (4), whenever it appears to the Secretary of State that any person has engaged in or is about to engage in any act or practice constituting a violation of any provision of this chapter or any rule or order, he may issue a cease and desist order.

IV. PUBLIC INTEREST

The actions taken and proposed to be taken herein by the Secretary of State are in the public interest and are consistent with the purposes set out in Miss. Code. Ann. §79-11-501, *et seq.*

V. FINAL ORDER

IT IS THEREFORE ORDERED, pursuant to Miss. Code Ann. §79-11-509(4) (Rev. 2001), that Blood Center shall immediately and permanently CEASE AND DESIST soliciting charitable contributions in and from the State of Mississippi as defined by Miss. Code Ann. §79-11-501.

IT IS ALSO ORDERED, that Blood Center's registration statement on file with the Division be revoked

IT IS FURTHER ORDERED, that Blood Center shall pay an administrative penalty in the amount of Five Thousand Dollars (\$5,000.00), made payable to the Mississippi Secretary of State upon execution of this Order.

BE ADVISED THAT, a willful violation of this Final Cease and Desist Order and Order Revoking Registration and Imposing Administrative Penalty may be punishable upon conviction by a fine of not more than Twenty-Five Thousand Dollars (\$25,000.00)

or five (5) years imprisonment, or both, in addition to civil and administrative remedies to the Division.

SO ISSUED, this the 15 day of JUNE 2007.

ERIC CLARK
Secretary Of State

BY:



JAMES O. NELSON, II
Assistant Secretary of State
Business Regulation & Enforcement

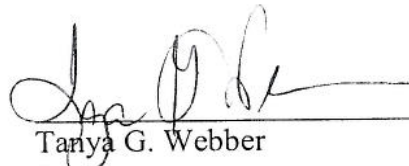
Prepared and Submitted by:
TANYA G. WEBBER
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CERTIFICATE OF SERVICE

I, Tanya G. Webber, do hereby certify, that I have this day, mailed, a true and correct copy of the Final Cease and Desist Order and Order Revoking Registration and Imposing Administrative Penalty to the following:

THE BLOOD CENTER
4157 Bordeaux Drive
Kenner, Louisiana 70065

This the 19th day of June, 2007.



Tanya G. Webber
Senior Attorney
Business Regulation and Enforcement